

SUPREME COURT OF CALIFORNIA

**NOTICE OF
FORTHCOMING FILING**

The Supreme Court has indicated that the filing of a written opinion in the following case(s) is forthcoming. At the filing time designated below, the filed opinion(s) will be accessible at the judicial branch web site (www.courtinfo.ca.gov) and copies will be made available at the Supreme Court Clerk's Office.

[Generally, the description set out with regard to each case is reproduced from the original news release issued when review in the matter was granted, and is provided for the convenience of the public and the press. The description does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

BETANCOURT v. STORKE HOUSING INVESTORS

S103942 (B145835; Santa Barbara Superior Court No. 1003927)
Argued in Los Angeles 10-09-03

This case presents the following issue: Where the compensation paid laborers on a public works construction project includes contributions to their benefit plans and the laborers record a mechanic's lien to recover those contributions, is an action to enforce that lien under Civil Code section 3110 preempted by the Employment Retirement Income Security Act (29 U.S.C. § 1144 [ERISA])?

PEOPLE (ORLOFF) v. PACIFIC BELL

S099131 (A089528; Alameda County Superior Court No. 816635-9)
Argued in Los Angeles 10-09-03

This case presents the following issue: Under what circumstances, if any may a district attorney bring an unfair competition action in superior court against a public utility while a parallel proceeding, alleging similar misconduct by the public utility, is pending before the Public Utilities Commission?

Opinion(s) in the above case(s) will be filed on:

Monday, December 15, 2003 at 10:00 a.m.